

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANATOLIY NIKONENKO,

Petitioners,

v.

ALBERTO R. GONZALES,¹

Respondent.

CASE NO. C05-0030RSM

ORDER OF DISMISSAL

This matter comes before the Court on the Honorable Mary Alice Theiler's Report and Recommendation ("R&R"). (Dkt. #10). Despite a number of continuances, petitioner has failed to file any objections to the R&R.

Accordingly, the Court, having reviewed the R&R, and the remainder of the record, finds and ORDERS as follows:

- (1) The Court adopts the Report and Recommendation.
- (2) Respondents' Motion to Dismiss (Dkt. #7) is GRANTED, and this action is DISMISSED.
- (3) The Clerk shall send a copy of this Order of Dismissal to all counsel of record, and to Judge Theiler.

DATED this 20th day of May, 2005.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

¹ On February 3, 2005, Alberto R. Gonzales was sworn in as the 80th Attorney General of the United States, succeeding former Attorney General John Ashcroft. Mr. Gonzales is "automatically substituted" as Respondent. Fed. R. Civ. P. 25(d)(1).